

**FORMALITIES LETTER**

OC000000005097400

**UNITED STATES DEPARTMENT OF
COMMERCE****Patent and Trademark Office**Address COMMISSIONER OF PATENT AND TRADEMARKS
Washington, D.C. 20231

HB

APPLICATION NUMBER	FILING/RECEIPT DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
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09/519,824

03/06/2000

Troy Gascoigne

116210-77865

Malcolm D Reid
Gray Plant Mooty Mooty & Bennett PA
3400 Multifoods Tower
33 S 6th ST
Minneapolis, MN 55402

Date Mailed: 05/05/2000

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION**FILED UNDER 37 CFR 1.53(b)*****Filing Date Granted***

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 690 to complete the basic filing fee and/or file a small entity statement claiming such status (37 CFR 1.27).
- Total additional claim fee(s) for this application is \$78.
■ \$78 for 1 independent claims over 3 .
- The oath or declaration is unsigned.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.
- Small Entity Statement is unsigned.
- **The balance due by applicant is \$ 898.**

*A copy of this notice **MUST** be returned with the reply.*


Customer Service Center

Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE

07/06/2000 EHAMMOND 00000001 09519824

01 FC:201	345.00 DP
02 FC:202	39.00 DP
03 FC:205	65.00 DP

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No. 116210 - 77865

Inventor: Troy Gascoigne, Brent Jewett, Roger Ochsner

Attorney Docket No. 116210 - 77865 Filing Date: March ___, 2000

Serial No.: _____ Art Unit: _____ Examiner: _____

Title of Invention: **METHOD OF MAKING PASTA FILATA CHEESES**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) and 1.27(c) - SMALL BUSINESS CONCERN)**

I hereby declare that I am
____ the owner of the small business concern identified below;
 an official of the small business concern empowered to act on behalf of the
concern identified below;

NAME OF SMALL BUSINESS CONCERN: Bongards' Creameries, Inc.
ADDRESS OF SMALL BUSINESS CONCERN: 13200 County Road 51
Bongards, MN 55368

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 C.F.R. 121.12 and reproduced in 37 C.F.R. 1.9(d), for purposes of paying reduced fees to the U. S. Patent and Trademark Office, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when either, directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention described in the attached specification filed herewith with the title **METHOD OF MAKING PASTA FILATA CHEESES** as listed above.

If the rights of the above identified small business concern are not exclusive, each individual, concern or organization having rights in the invention must file separate verified statements averring to their status as small entities, and no rights to the invention are held by any person, other than the inventor, who would not qualify as an independent inventor under 37 C.F.R. 1.9(c) if that person made the invention, or by any concern which would not qualify as a small business concern under 37 C.F.R. 1.9(d), or a nonprofit organization under 37 C.F.R. 1.9(e).

Small Entity Declaration
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Each person, concern or organization having any rights in the invention is listed below:

no such person, concern or organization exists.
 each such person, concern or organization is listed below.

Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27)

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37(CFR 1.28(b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

Name of Declarant: Thomas Otto
Title of Declarant:
Address of Declarant:
Bongards' Creameries, Inc.
13200 County Road 51
Bongards, MN 55368

Signature of Declarant:
Date: March ___, 2000

Thomas Otto



HB

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
Attorney Docket No. 116210 - 77865

Inventors: Troy Gascoigne, Brent Jewett, Roger Ochsner

Attorney Docket No. 116210 - 77865

Filing Date: March 6, 2000

Serial No.: 09/1519,824 Art Unit: 1761 Examiner: _____

Title of Invention: **METHOD OF MAKING PASTA FILATE CHEESE**

COMBINED DECLARATION AND POWER OF ATTORNEY

As a below named inventor, I hereby declare that:

My residence, post office address, and citizenship are as stated below next to my name; that

I verily believe I am an original, first and sole inventor of the invention entitled **METHOD OF MAKING PASTA FILATA CHEESE** described and claimed in the attached specification filed herewith; that

I have read the attached specification and understand the contents thereof, including the claims, as amended by any amendment specifically referred to above; that

I do not know and do not believe that the same was ever known or used in the United States of America before my invention thereof, or patented or described in any printed publication in any country before my invention thereof for more than one year prior to this application, that the same was not in public use or on sale in the United States of America more than one year prior to this application, that the invention has not been patented or made the subject of an inventor's certificate issued before the day of this application in any country foreign to the United States of America on any application filed by me or my legal representatives or assigns more than twelve months prior to this application, that I acknowledge my duty to disclose information of which I am aware which is material to the examination of this application, and that no application for patent or inventor's certificate on this invention has been filed in any country foreign to the United States of America prior to this application by me or my legal representatives or assigned except as follows: None.

I hereby appoint as attorney of record with full power of substitution and revocation, to prosecute this application and transact all business in the Patent and Trademark Office connected therewith: Malcolm D. Reid, Reg. No. 27,065; Cecilia M. Jaisle, Agent, Reg. No. 28,824.



Combined Declaration and Power of Attorney
Attorney Docket No. 116210 - 77865
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SEND CORRESPONDENCE TO:
TO:

Malcolm D. Reid
Gray, Plant, Moaty, Moaty & Bennett, P.A.
3400 Multifoods Tower, 33 S. 6th St.
Minneapolis, Minnesota 55402

DIRECT TELEPHONE CALLS

Telephone: (612) 343-5378
Facsimile: (612) 333-0066

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of Inventor: Troy Gascoigne
Residence Address of Inventor: R.R. 1, Box 358
Richville, MN 56576

Citizenship: United States of America

Signature of Inventor:
Date: March 7, 2000


Troy Gascoigne



Combined Declaration and Power of Attorney
Attorney Docket No. 116210 - 77865
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Full name of Inventor: Brent Jewett
Residence Address of Inventor: 308—17th Street
Glenco, MN 55336

Citizenship: United States of America

Signature of Inventor:
Date: March 7, 2000

Brent Jewett
Brent Jewett

GP:677540 v1

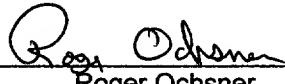


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Full name of Inventor: Roger Ochsner
Residence Address of Inventor: 625—9th Street, NW
Perham, MN 56573

Citizenship: United States of America

Signature of Inventor:
Date: March 7, 2000



Roger Ochsner
Roger Ochsner

DEMAILED 3/27/2000 10:45:45 AM
U.S. PATENT & TRADEMARK OFFICE